

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

CONCORD ENERGY LLC,

Plaintiff,

v.

HELLERVIK OILFIELD
TECHNOLOGIES LLC,

Defendant(s).

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CIVIL ACTION NO. 4:21-cv-00328

**PROPOSED FINAL SCHEDULING
AND DOCKET CONTROL ORDER**

The disposition of this case will be controlled by the following schedule:

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| 1. | July 16, 2021 | MOTIONS TO ADD NEW PARTIES
The attorney causing the addition of new parties will provide copies of this Order to new parties. |
| 2. | July 16, 2021 | MOTIONS FOR LEAVE TO AMEND PLEADINGS
Parties filing motions after this deadline must show good cause. |
| | | EXPERTS ON MATTERS OTHER THAN
ATTORNEY'S FEES |
| 3a. | September 24, 2021 | The plaintiff (or the party with the burden of proof on an issue) will designate expert witnesses in writing and provide the report required by Rule 26(a)(2) of the Federal Rules of Civil Procedure. |
| 3b. | December 3, 2021 | The opposing party will designate expert witnesses in writing and provide the report required by Rule 26(a)(2) of the Federal Rules of Civil Procedure. ¹ |

¹ Hellervik shall have until 12/03/2021 to serve its Damages Rebuttal Expert Report, including but not limited to the following topics: Hellervik's contention that Concord failed to mitigate damages, transportation costs, and the market cost of processing the gas products at issue in the case. Replies to Rebuttal Reports to be served by 01/21/2022.

4. February 14, 2022 **MEDIATION**
Mediation or other form of dispute resolution must be completed by this deadline.
5. February 18, 2022 **COMPLETION OF DISCOVERY**
Written discovery requests are not timely if they are filed so close to this deadline that under the Federal Rules of Civil Procedure the response would not be due until after the deadline.
6. February 25, 2022 **PRETRIAL DISPOSITIVE MOTIONS DEADLINE**
No motion may be filed after this date except for good cause.
7. April 18, 2022 **JOINT PRETRIAL ORDER AND MOTION IN LIMINE DEADLINE**
The Joint Pretrial Order will contain the pretrial disclosures required by Rule 26(a)(3) of the Federal Rules of Civil Procedure. Plaintiff is responsible for timely filing the complete Joint Pretrial Order. Failure to file a Joint Pretrial Order timely may lead to dismissal or other sanction in accordance with the applicable rules.
8. May 23, 2022 **DOCKET CALL**
Docket Call will be held at 2:00 p.m. in Courtroom 11-B, United States Courthouse, 515 Rusk, Houston, Texas. No documents filed within 7 days of the Docket Call will be considered. Pending motions may be ruled on at docket call, and the case will be set for trial as close to the docket call as practicable.
9. Additional orders relating to disclosures, discovery, or pretrial motions:

Any party wishing to make any discovery motions should arrange for a pre-motion conference with the court before the preparation and submission of any motion papers. That includes a motion to compel, to quash, or for protection. Email Mrs. Eddins at Lisa.Eddins@txs.uscourts.gov or fax her at 713-250-5213 to arrange for a pre-motion conference. Notify your adversary of the date and time for the conference.

The parties agree to submit attorney's fees issues to the court by affidavit after liability and damages are resolved.

Other: None.

SIGNED on _____, at Houston, Texas.

Lee H. Rosenthal
Chief United States District Judge